

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

UNITED FOOD AND COMMERCIAL
WORKERS UNION, LOCAL No. 663, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
AGRICULTURE,

Defendant.

Case No. 18-cv-2660 (JNE/TNL)

DECLARATION OF AMANDA MIRANDA

I, Amanda Miranda, declare as follows:

1. My name is Amanda Miranda. I currently work as a Flyer in general production on the kill floor at the Triumph Foods pork plant in St. Joseph, Missouri.
2. I have worked at the Triumph Foods plant since 2010. From approximately 2010 – 2013 and 2017 – present, I worked in general production. From approximately 2014 – 2017 I worked in quality assurance as management support.
3. During the approximately 4.5 total years I worked in general production, I have been a member of UFCW Local 2.
4. Local 2 represents 2,600 workers at the Triumph Foods plant.
5. I am a union steward for UFCW Local 2. In that capacity, I respond to member complaints and grievances.
6. I also serve as a Safety Monitor, which means that I regularly inspect the kill floor for potential safety hazards.

7. I am qualified for 15 different general production jobs. These include shaving snouts and removing hair from hogs' heads; opening hogs; removing the hog's pizzelle cord and bladder; inspecting hogs' jowls for contamination; opening hogs' hearts; hanging plucks (hog innards hung by the trachea); separating stomachs; removing viscera (intestines and stomachs); separating spleens; and operating toe notchers (splitting hogs' toes, both the front and hind feet).

8. My co-workers – also fellow union members – and I work on an assembly line with sharp knives as hog carcasses pass before us on a mechanized line.

9. My co-workers and I use hand-held 8-inch blunt-tipped knives to remove spleens and stomachs, and to shave snouts and openings. Gutters use 7-inch curved knives to open hogs. Workers who cut skin off hogs' heads and viscera trimmers use 10-inch pointed knives.

10. Workers on the evisceration line use knives to remove abnormalities and contamination from carcasses.

11. Workers are in close proximity on both the kill and cut floors. For example, when I open hogs, I stand alongside 3 other workers in a 6-foot area. On the kill floor, inspectors and quality assurance personnel stand approximately 2 feet away from us. On the cut floor, people often stand elbow to elbow.

12. Because we are in high-volume production, ergonomic and knife injuries occur often.

13. Within my first three years at the plant, I developed carpal tunnel syndrome. I had surgery on both hands. I received workers' compensation for these musculoskeletal injuries and worked on light duty until I healed.

14. My husband also works at Triumph Foods in St. Joseph and is a member of UFCW Local 2. He has been at the plant for 8.5 years. He works on the cut floor skinning hog

shoulders. He regularly experiences shoulder, elbow, and wrist pain as a result of working on the line.

15. Our plant is often short-staffed, and I help train new hires. In my experience new hires have a higher risk of injury. This is particularly so during training. For example, last week I was training a new hire who was standing close to me and two others. When the work area gets so cramped and the lines are moving fast, accidental cuts are more common.


16. Because the lines move so fast, production sometimes lags. One of my co-workers who is an experienced gutter even gets behind. His job is to make three slices: one on either side of the trachea and one across. Someone standing behind him marks contaminated jowls. When one worker gets behind everyone has to scoot over to keep up with the line. In addition, gutters earlier on in the line sometimes get behind. The faster the lines move, the more this happens, and people end up scooting over to reach hogs that have already passed their area. They risk colliding with others, and others' knives. I am concerned about injuries to all the workers on the line, including these gutters.

17. Based on my experience in the plant, I believe that if line speeds increase, I, my husband, and my coworkers will suffer a higher rate of ergonomic and knife related injuries.

18. Even if I am unlikely to cut or otherwise injure myself, given the close proximity we work in, the risk of being injured by one of my coworkers is high and will increase if line speeds increase.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 3 June 2020.


Amanda Miranda